

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re:	Application No. 10/763,376)	
)	
Filed:	January 23, 2004)	<i>Confirmation No. 7589</i>
)	
Applicants:	Andrew HALLIDAY et al.)	
)	
Title:	SYSTEM AND METHOD FOR)	This Supplement to Appellants' Brief on Appeal was electronically filed on October 28, 2008 using EFS-Web.
	THE PREPARATION OF)	
	BEVERAGES)	
)	
Art Unit:	1794)	
)	
Examiner:	Anthony J. WEIER)	
)	
)	
Attorney Docket:	1410/67640)	
)	
Customer No.:	48940)	

Mail Stop APPEAL BRIEF -- PATENTS
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

REPLACEMENT SECTION FOR
APPELLANTS' BRIEF ON APPEAL UNDER 37 C.F.R. § 41.37

Sir:

The Office Communication dated October 7, 2008 indicated the Appeal Brief filed on September 23, 2008 was defective because the section entitled "Status of Claims" did not include a listing of canceled claims. A replacement section for the "Status of Claims" is submitted herewith which contains the status of all claims, including the canceled claims.

Application No. 10/763,376

REPLACEMENT SECTION FOR APPELLANTS' BRIEF ON APPEAL

UNDER 37 C.F.R. § 41.37 dated October 28, 2008

Reply to Office Action/Decision of Primary Examiner of January 23, 2008

III. STATUS OF CLAIMS

Claims 2-14 are pending. Applicants appeal the final rejection of claims 2-14. Claim 2 is the pending independent claim at issue in this appeal. Claim 1 is canceled.

Application No. 10/763,376

REPLACEMENT SECTION FOR APPELLANTS' BRIEF ON APPEAL

UNDER 37 C.F.R. § 41.37 dated October 28, 2008

Reply to Office Action/Decision of Primary Examiner of January 23, 2008

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Dated: October 28, 2008

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